

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
S.D. and J.D.,

Plaintiffs,

-against-

EMBLEMHEALTH PLAN, INC.; CIGNA CORPORATION; EXPRESS SCRIPTS HOLDING COMPANY; EXPRESS SCRIPTS PHARMACY, INC.; and JOHN DOE, a fictitious name, real name unknown, intended to be the individual(s) or entit(y)(ies) which unlawfully interfered with Plaintiff's rights, as set forth below,

Defendants.

ANALISA TORRES, District Judge:

The Court has reviewed the parties' letter dated October 3, 2022. ECF No. 35. The parties state that they "do not feel [m]ediation will be fruitful as there are fundamental disagreements as to liability of the defendants" and suggest that the action proceed with motion practice. *Id.* at 1. The case management plan requires that the parties select one of three options for ADR, ECF No. 28 ¶ 10(b), and recommend a timeline for one of those options, *id.* ¶ 10(c). The parties have not done so. Accordingly, by **October 7, 2022**, the parties shall file a joint letter stating their position on ADR. *Id.* ¶ 14.

SO ORDERED.

Dated: October 4, 2022
New York, New York

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22 Civ. 760 (AT)

ORDER



ANALISA TORRES
United States District Judge